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ROSENMAN & COLIN

575 MADISON AVENUE, NEW YORK, NY 10022-2585

TELEPHONE (212) 940-8800
CABLE ROCONAY NEWYORK
TELECOPIER (212) 940-8778
(212) 935-0679
TELEX 477571 ROSCOL (NY)
971570 RCFLC NYK (W.U.)

SAMUEL I. ROSENMAN (1898-1973)
RALPH F. COLIN (1900-1985)

April 12, 1993

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WASHINGTON OFFICE
1300 15TH STREET, N.W.
WASHINGTON, D.C. 20035
TELEPHONE (202) 463-7177

JEROME S. BOROS
(212) 940-3800

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Re: Amendment of the Commission's Rules To
Permit Private Carrier Paging Licensees To
Provide Service To Individuals
PR Docket No. 93-38
RM+8017

Dear Ms. Searcy:

Enclosed for filing in this proceeding, on behalf of Radio
Call Company, Inc., are an original and five copies of COMMENTS.

Please address responsive communications to the undersigned
at:

Rosenman & Colin
575 Madison Avenue
New York, New York 10022

Very truly yours,


Jerome S. Boros
Attorney for Radio Call Company, Inc.

JSB:m
Enclosures (6)

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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

} PR Docket No. 93-38
BY 8048

3. With this in mind, Radio Call does not oppose the Commission's proposal in this proceeding. However, adoption of the Commission's proposal would make private carriers the functional equivalent of common carriers - without accompanying common carrier-type of regulation. This would create competitive unfairness and, for this reason, Radio Call submits that the adoption of the proposal should be accompanied by a corresponding liberalization of the Rules affecting, and frequently afflicting, common carriers. There are two areas, in particular, where the Commission's Rules should be relaxed to enable common carriers generally to compete on an even playing field with private carriers, namely:

(1) Usage Showing - A usage showing now is required of a common carrier applicant for additional frequencies for a one-way or a two-way station. This

carrier applications (which currently takes about six months), is brought into line with the expeditious processing of private carrier applications. In short, common carriers should not be hamstrung from expanding their systems due to administrative delay from which private carriers are immune. If the Commission wants common carriers and private carriers to compete effectively, common carriers cannot have one leg tied throughout the competition.

WHEREFORE, Radio Call submits that the Commission should not create an asymmetrical marketplace through discrimination, but should act to assure a level playing field by relaxing the Rules applicable to common carriers concurrently with adopting the proposal in this proceeding.

Respectfully submitted,

RADIO CALL COMPANY, INC.

By: 

Jerome S. Boros

By: 

Jerome S. Silber

Rosenman & Colin
575 Madison Avenue
New York, New York 10022

Its Attorneys

Dated: April 12, 1993